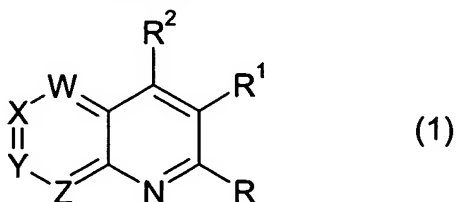


## AMENDMENTS TO THE CLAIMS

1. (Original): The compound of the general formula (1):



wherein

W and Y are both N and X and Z are both CR<sup>8</sup> or X and Z are both N and W and Y are both CR<sup>8</sup>;

R<sup>8</sup> is H, halo, C<sub>1-4</sub> alkyl, C<sub>1-4</sub> alkoxy or halo(C<sub>1-4</sub>)alkyl;

R and R<sup>2</sup> are independently H, halo, C<sub>1-8</sub> alkyl, C<sub>1-8</sub> alkoxy, C<sub>1-8</sub> alkylthio, C<sub>2-8</sub> alkenyl, C<sub>2-8</sub> alkynyl, cyano or NR<sup>3</sup>R<sup>4</sup>, provided that at least one of R and R<sup>2</sup> is NR<sup>3</sup>R<sup>4</sup>;

R<sup>1</sup> is halo, C<sub>1-8</sub> alkyl, C<sub>2-8</sub> alkenyl, C<sub>2-8</sub> alkynyl, C<sub>3-8</sub> cycloalkyl, C<sub>3-8</sub> cycloalkyl(C<sub>1-6</sub>)alkyl, C<sub>1-8</sub> alkoxy, C<sub>1-8</sub> alkylthio, aryl, aryloxy, arylthio, heteroaryl, heteroaryloxy, heteroarylthio, aryl(C<sub>1-4</sub>)alkyl, aryl(C<sub>1-4</sub>)alkoxy, heteroaryl(C<sub>1-4</sub>)alkyl, heteroaryl(C<sub>1-4</sub>)alkoxy, aryl(C<sub>1-4</sub>)alkylthio, heteroaryl(C<sub>1-4</sub>)alkylthio, morpholino, piperidino or pyrrolidino;

R<sup>3</sup> and R<sup>4</sup> are independently H, C<sub>1-8</sub> alkyl, C<sub>2-8</sub> alkenyl, C<sub>2-8</sub> alkynyl, aryl, aryl(C<sub>1-8</sub>)alkyl, C<sub>3-8</sub> cycloalkyl, C<sub>3-8</sub> cycloalkyl(C<sub>1-6</sub>)alkyl, heteroaryl, heteroaryl(C<sub>1-8</sub>)alkyl, NR<sup>5</sup>R<sup>6</sup>, provided that not both R<sup>3</sup> and R<sup>4</sup> are H or NR<sup>5</sup>R<sup>6</sup>, or

R<sup>3</sup> and R<sup>4</sup> together form a C<sub>3-7</sub> alkylene or C<sub>3-7</sub> alkenylene chain optionally substituted with one or more C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy groups, or,

together with the nitrogen atom to which they are attached, R<sup>3</sup> and R<sup>4</sup> form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C<sub>1-4</sub>)alkyl (especially N-methyl) ring; and

R<sup>5</sup> and R<sup>6</sup> are independently H, C<sub>1-8</sub> alkyl, C<sub>2-8</sub> alkenyl, C<sub>2-8</sub> alkynyl, aryl, aryl(C<sub>1-8</sub>)alkyl, C<sub>3-8</sub> cycloalkyl, C<sub>3-8</sub> cycloalkyl(C<sub>1-6</sub>)alkyl, heteroaryl or heteroaryl(C<sub>1-8</sub>)alkyl;

any of the foregoing alkyl, alkenyl, alkynyl or cycloalkyl groups or moieties (other than for R<sup>8</sup>) being optionally substituted with halogen, cyano, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkylcarbonyl, C<sub>1-6</sub> alkoxycarbonyl, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> alkylthio, tri(C<sub>1-4</sub>)alkylsilyl, C<sub>1-6</sub> alkylamino or C<sub>1-6</sub> dialkylamino,

any of the foregoing morpholine, thiomorpholine, piperidine, piperazine and pyrrolidine rings being optionally substituted with C<sub>1-4</sub> alkyl (especially methyl), and

any of the foregoing aryl or heteroaryl groups or moieties being optionally substituted with one or more substituents selected from halo, hydroxy, mercapto, C<sub>1-6</sub> alkyl, C<sub>2-6</sub> alkenyl, C<sub>2-6</sub>

alkynyl, C<sub>1-6</sub> alkoxy, C<sub>2-6</sub> alkenyloxy, C<sub>2-6</sub> alkynyloxy, halo(C<sub>1-6</sub>)alkyl, halo(C<sub>1-6</sub>)alkoxy, C<sub>1-6</sub> alkylthio, halo(C<sub>1-6</sub>)alkylthio, hydroxy(C<sub>1-6</sub>)alkyl, C<sub>1-4</sub> alkoxy(C<sub>1-6</sub>)alkyl, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR<sup>'''</sup>R<sup>'''</sup>, -NHCOR<sup>'''</sup>, -NHCONR<sup>'''</sup>R<sup>'''</sup>, -CONR<sup>'''</sup>R<sup>'''</sup>, -SO<sub>2</sub>R<sup>'''</sup>, -OSO<sub>2</sub>R<sup>'''</sup>, -COR<sup>'''</sup>, -CR<sup>'''</sup>=NR<sup>'''</sup> or -N=CR<sup>'''</sup>R<sup>'''</sup>, in which R<sup>'''</sup> and R<sup>'''</sup> are independently hydrogen, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub> alkoxy, halo(C<sub>1-4</sub>)alkoxy, C<sub>1-4</sub> alkylthio, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy;  
provided that Y is not CCH<sub>3</sub> when W is CH, X and Z are N, R is NHCH<sub>3</sub>, R<sup>1</sup> is 2,6-dichlorophenyl and R<sup>2</sup> is H.

2. (Original): A compound according to claim 1 wherein W and Y are both N and X and Z are both CH or X and Z are both N and W and Y are both CH.
3. (Currently Amended): A compound according to claim 1 ~~or 2~~ wherein R<sup>2</sup> is NR<sup>3</sup>R<sup>4</sup>.
4. (Original): A compound according to claim 3 wherein R is halo.
5. (Currently Amended): A compound according to ~~any one of the preceding claims~~ claim 1 wherein  
R<sup>3</sup> is C<sub>1-8</sub> alkyl, halo(C<sub>1-8</sub>)alkyl, hydroxy(C<sub>1-8</sub>)alkyl, C<sub>1-4</sub> alkoxy(C<sub>1-8</sub>)alkyl, C<sub>1-4</sub> alkoxyhalo(C<sub>1-8</sub>)alkyl, tri(C<sub>1-4</sub>)alkylsilyl(C<sub>1-6</sub>)alkyl, C<sub>1-4</sub> alkylcarbonyl(C<sub>1-8</sub>)alkyl, C<sub>1-4</sub> alkylcarbonylhalo(C<sub>1-8</sub>)alkyl, phenyl(C<sub>1-4</sub>)alkyl, C<sub>2-8</sub> alkenyl, halo(C<sub>2-8</sub>)alkenyl, C<sub>2-8</sub> alkynyl, C<sub>3-8</sub> cycloalkyl optionally substituted with chloro, fluoro or methyl, C<sub>3-8</sub> cycloalkyl(C<sub>1-4</sub>)alkyl, phenylamino, piperidino or morpholino, the phenyl ring of phenylalkyl or phenylamino being optionally substituted with one, two or three substituents selected from halo, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub> alkoxy and halo(C<sub>1-4</sub>)alkoxy; and  
R<sup>4</sup> is H, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl or amino, or  
R<sup>3</sup> and R<sup>4</sup> together form a C<sub>3-7</sub> alkylene or alkenylene chain optionally substituted with methyl, or,  
together with the nitrogen atom to which they are attached, R<sup>3</sup> and R<sup>4</sup> form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C<sub>1-4</sub>)alkyl (especially N-methyl) ring, in which the morpholine or piperazine rings are optionally substituted with methyl.

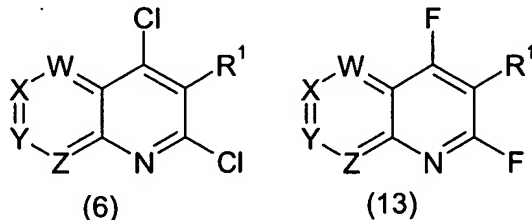
6. (Currently Amended): A compound according to ~~any one of the preceding claims~~ claim 1, wherein  
 $R^1$  is phenyl optionally substituted with from one to five halogen atoms or with from one to three substituents selected from halo,  $C_{1-4}$  alkyl, halo( $C_{1-4}$ )alkyl,  $C_{1-4}$  alkoxy or halo( $C_{1-4}$ )-alkoxy, pyridyl optionally substituted with from one to four halogen atoms or with from one to three substituents selected from halo,  $C_{1-4}$  alkyl, halo( $C_{1-4}$ )alkyl,  $C_{1-4}$  alkoxy or halo( $C_{1-4}$ )-alkoxy, 2- or 3-thienyl optionally substituted with from one to three halogen atoms or with from one to three substituents selected from halo,  $C_{1-4}$  alkyl, halo( $C_{1-4}$ )alkyl,  $C_{1-4}$  alkoxy or halo( $C_{1-4}$ )alkoxy, or piperidino or morpholino both optionally substituted with one or two methyl groups.
  
7. (Original): A compound according to claim 6 wherein  $R^1$  is 2,6-difluorophenyl, 2-fluoro-6-chlorophenyl, 2,5,6-trifluorophenyl, 2,4,6-trifluorophenyl, 2,6-difluoro-4-methoxyphenyl or pentafluorophenyl.
  
8. (Original): A compound according to claim 1 wherein  
W and Y are both N and X and Z are both  $CR^8$  or X and Z are both N and W and Y are both  $CR^8$ ;  
 $R^8$  is H, halo,  $C_{1-4}$  alkyl,  $C_{1-4}$  alkoxy or halo( $C_{1-4}$ )alkyl;  
one of R and  $R^2$  (preferably  $R^2$ ) is  $NR^3R^4$  and the other is halo;  
 $R^1$  is halo,  $C_{1-8}$  alkyl,  $C_{2-8}$  alkenyl,  $C_{2-8}$  alkynyl,  $C_{3-8}$  cycloalkyl,  $C_{3-8}$  cycloalkyl( $C_{1-6}$ )alkyl,  $C_{1-8}$  alkoxy,  $C_{1-8}$  alkylthio, aryl, aryloxy, arylthio, heteroaryl, heteroaryloxy, heteroarylthio, aryl( $C_{1-4}$ )alkyl, aryl( $C_{1-4}$ )alkoxy, heteroaryl( $C_{1-4}$ )alkyl, heteroaryl( $C_{1-4}$ )alkoxy, aryl( $C_{1-4}$ )alkylthio, heteroaryl( $C_{1-4}$ )alkylthio, morpholino, piperidino or pyrrolidino;  
 $R^3$  and  $R^4$  are independently H,  $C_{1-8}$  alkyl,  $C_{2-8}$  alkenyl,  $C_{2-8}$  alkynyl, aryl, aryl( $C_{1-8}$ )alkyl,  $C_{3-8}$  cycloalkyl,  $C_{3-8}$  cycloalkyl( $C_{1-6}$ )alkyl, heteroaryl, heteroaryl( $C_{1-8}$ )alkyl,  $NR^5R^6$ , provided that not both  $R^3$  and  $R^4$  are H or  $NR^5R^6$ , or  
 $R^3$  and  $R^4$  together form a  $C_{3-7}$  alkylene or a  $C_{3-7}$  alkylene chain optionally substituted with one or more  $C_{1-4}$  alkyl or  $C_{1-4}$  alkoxy groups, or,  
together with the nitrogen atom to which they are attached,  $R^3$  and  $R^4$  form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine *N*-( $C_{1-4}$ )alkyl (especially *N*-methyl) ring; and  
 $R^5$  and  $R^6$  are independently H,  $C_{1-8}$  alkyl,  $C_{2-8}$  alkenyl,  $C_{2-8}$  alkynyl, aryl, aryl( $C_{1-8}$ )alkyl,  $C_{3-8}$  cycloalkyl,  $C_{3-8}$  cycloalkyl( $C_{1-6}$ )alkyl, heteroaryl or heteroaryl( $C_{1-8}$ )alkyl;  
any of the foregoing alkyl, alkenyl, alkynyl or cycloalkyl groups or moieties (other than for  $R^8$ )

being optionally substituted with halogen, cyano, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkylcarbonyl, C<sub>1-6</sub> alkoxy-carbonyl, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> alkylthio, tri(C<sub>1-4</sub>)alkylsilyl, C<sub>1-6</sub> alkylamino or C<sub>1-6</sub> dialkylamino, any of the foregoing morpholine, thiomorpholine, piperidine, piperazine and pyrrolidine rings being optionally substituted with C<sub>1-4</sub> alkyl (especially methyl), and any of the aryl, heteroaryl, aryloxy or heteroaryl groups being optionally substituted with one or more substituents selected from halo, hydroxy, mercapto, C<sub>1-6</sub> alkyl, C<sub>2-6</sub> alkenyl, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkoxy, C<sub>2-6</sub> alkenyloxy, C<sub>2-6</sub> alkynyloxy, halo(C<sub>1-6</sub>)alkyl, halo(C<sub>1-6</sub>)alkoxy, C<sub>1-6</sub> alkylthio, halo(C<sub>1-6</sub>)alkylthio, hydroxy(C<sub>1-6</sub>)alkyl, C<sub>1-4</sub> alkoxy(C<sub>1-6</sub>)alkyl, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR<sup>'''</sup>, -NHCOR<sup>'''</sup>, -NHCONR<sup>'''</sup>, -CONR<sup>'''</sup>, -SO<sub>2</sub>R<sup>'''</sup>, -OSO<sub>2</sub>R<sup>'''</sup>, -COR<sup>'''</sup>, -CR<sup>'''</sup>=NR<sup>'''</sup> or -N=CR<sup>'''</sup>, in which R<sup>'''</sup> and R<sup>'''</sup> are independently hydrogen, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub> alkoxy, halo(C<sub>1-4</sub>)alkoxy, C<sub>1-4</sub> alkylthio, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy.

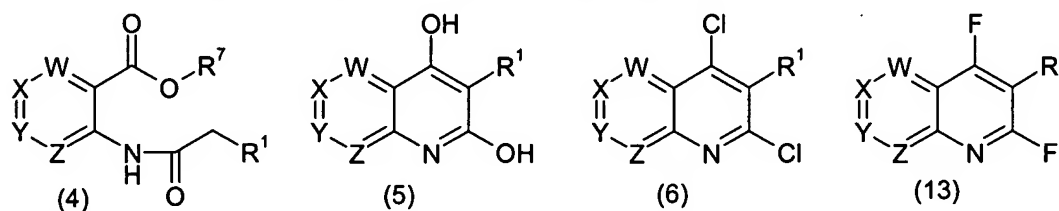
9. (Original): A compound according to claim 1 wherein  
W and Y are both N and X and Z are both CR<sup>8</sup> or X and Z are both N and W and Y are both CR<sup>8</sup>;  
R<sup>8</sup> is H, halo, C<sub>1-4</sub> alkyl, C<sub>1-4</sub> alkoxy or halo(C<sub>1-4</sub>)alkyl;  
one of R and R<sup>2</sup> (preferably R<sup>2</sup>) is NR<sup>3</sup>R<sup>4</sup> and the other is halo;  
R<sup>1</sup> is halo, C<sub>1-8</sub> alkyl, C<sub>2-8</sub> alkenyl, C<sub>2-8</sub> alkynyl, C<sub>3-8</sub> cycloalkyl, C<sub>3-8</sub> cycloalkyl(C<sub>1-6</sub>)alkyl, C<sub>1-8</sub> alkoxy, C<sub>1-8</sub> alkylthio, aryl, aryloxy, arylthio, heteroaryl, heteroaryloxy, heteroarylthio, aryl(C<sub>1-4</sub>)alkyl, aryl(C<sub>1-4</sub>)alkoxy, heteroaryl(C<sub>1-4</sub>)alkyl, heteroaryl(C<sub>1-4</sub>)alkoxy, aryl(C<sub>1-4</sub>)alkylthio, heteroaryl(C<sub>1-4</sub>)alkylthio, morpholino, piperidino or pyrrolidino;  
R<sup>3</sup> is C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>2-4</sub> alkenyl, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)alkyl or phenylamino in which the phenyl ring is optionally substituted with one, two or three substituents selected from halo, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub> alkoxy and halo(C<sub>1-4</sub>)alkoxy; and  
R<sup>4</sup> is H, C<sub>1-4</sub> alkyl or amino, or  
R<sup>3</sup> and R<sup>4</sup> together form a C<sub>4-6</sub> alkylene chain optionally substituted with C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy, or,  
together with the nitrogen atom to which they are attached, R<sup>3</sup> and R<sup>4</sup> form a morpholine, thiomorpholine, thiomorpholine S-oxide or thiomorpholine S-dioxide ring or a piperazine or piperazine N-(C<sub>1-4</sub>)alkyl (especially N-methyl) ring;  
any of the alkyl, alkenyl, alkynyl or cycloalkyl groups or moieties (other than for R<sup>8</sup>) being optionally substituted with halogen, cyano, C<sub>1-6</sub> alkoxy, C<sub>1-6</sub> alkylcarbonyl, C<sub>1-6</sub> alkoxy-

carbonyl, C<sub>1-6</sub> haloalkoxy, C<sub>1-6</sub> alkylthio, tri(C<sub>1-4</sub>)alkylsilyl, C<sub>1-6</sub> alkylamino or C<sub>1-6</sub> dialkylamino, any of the foregoing morpholine, thiomorpholine, piperidine, piperazine and pyrrolidine rings being optionally substituted with C<sub>1-4</sub> alkyl (especially methyl), and any of the aryl or heteroaryl groups or moieties being optionally substituted with one or more substituents selected from halo, hydroxy, mercapto, C<sub>1-6</sub> alkyl, C<sub>2-6</sub> alkenyl, C<sub>2-6</sub> alkynyl, C<sub>1-6</sub> alkoxy, C<sub>2-6</sub> alkenyloxy, C<sub>2-6</sub> alkynyloxy, halo(C<sub>1-6</sub>)alkyl, halo(C<sub>1-6</sub>)alkoxy, C<sub>1-6</sub> alkylthio, halo-(C<sub>1-6</sub>)alkylthio, hydroxy(C<sub>1-6</sub>)alkyl, C<sub>1-4</sub> alkoxy(C<sub>1-6</sub>)alkyl, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)-alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR<sup>'''</sup>R<sup>'''</sup>, -NHCOR<sup>'''</sup>, -NHCONR<sup>'''</sup>R<sup>'''</sup>, -CONR<sup>'''</sup>R<sup>'''</sup>, -SO<sub>2</sub>R<sup>'''</sup>, -OSO<sub>2</sub>R<sup>'''</sup>, -COR<sup>'''</sup>, -CR<sup>'''</sup>=NR<sup>'''</sup> or -N=CR<sup>'''</sup>R<sup>'''</sup>, in which R<sup>'''</sup> and R<sup>'''</sup> are independently hydrogen, C<sub>1-4</sub> alkyl, halo(C<sub>1-4</sub>)alkyl, C<sub>1-4</sub> alkoxy, halo(C<sub>1-4</sub>)alkoxy, C<sub>1-4</sub> alkylthio, C<sub>3-6</sub> cycloalkyl, C<sub>3-6</sub> cycloalkyl(C<sub>1-4</sub>)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C<sub>1-4</sub> alkyl or C<sub>1-4</sub> alkoxy.

10. (Original): A process for preparing a compound of the general formula (1) according to claim 1 wherein one of R and R<sup>2</sup> is chloro or fluoro and the other is NR<sup>3</sup>R<sup>4</sup> and W, X, Y, Z, R<sup>1</sup>, R<sup>3</sup> and R<sup>4</sup> are as defined in claim 1, which comprises reacting an amine of the general formula NR<sup>3</sup>R<sup>4</sup> with a compound of the general formula (6) or (13):



11. (Original): The intermediate chemicals having the general formulae (4), (5), (6) and (13):



wherein W, X, Y, Z and R<sup>1</sup> are as defined in claim 1 and R<sup>7</sup> is C<sub>1-4</sub> alkyl, other than those compounds of the general formula (5) wherein W and Y are both CH and X and Z are both N and R<sup>1</sup> is methyl, ethyl or phenyl, and other than those compounds of the general formula (5) wherein W is CH, Y is CH<sub>3</sub>-C and X and Z are both N and R<sup>1</sup> is methyl, ethyl or phenyl,

and other than the compound of the general formula (4) wherein W and Y are both CH<sub>3</sub>-C and X and Z are both N and R<sup>1</sup> is methyl and R<sup>7</sup> is ethyl.

12. (Original): A plant fungicidal composition comprising a fungicidally effective amount of a compound as defined in claim 1 and a suitable carrier or diluent therefor.
13. (Currently Amended): A method of combating or controlling phytopathogenic fungi which comprises applying to a plant, to a seed of a plant, to the locus of the plant or seed or to soil or to any other plant growth medium, a fungicidally effective amount of a compound according to claim 1 ~~or a composition according to claim 12.~~